

Feb 26 09 10:10a

ROBERT W STROZIER, PLLC

7139777011

p.1

RECEIVED
CENTRAL FAX CENTER

FEB 26 2009

ROBERT W. STROZIER, P.L.L.C.

A FIRM SPECIALIZING IN INTELLECTUAL PROPERTY LAW INCLUDING
PATENT, TRADEMARK, COPYRIGHT, TRADE SECRET LAW,
UNFAIR COMPETITION AND RELATED MATTERS

P.O. BOX 429
BELLAIRE, TEXAS 77402-0429
5300 N. BRAESWOOD BLVD. #369
HOUSTON, TEXAS 77096-3817

713.977.7000
713.977.7011/FAX
EMAIL: RWSTROZ@FLASH.NET

FACSIMILE TRANSMITTAL

TO: MS DAC
OF: USPTO
FAX: _____
PHONE: _____
PAGES: 4, INCLUDING THIS COVER SHEET.
DATE: 2/26/9

THIS FACSIMILE CONTAINS ATTORNEY-CLIENT COMMUNICATIONS. IF YOU ARE NOT THE DESIGNATED RECIPIENT, PLEASE CALL ME AND I WILL INSTRUCT YOU ON THE PROPER METHOD OF DESTROYING THE COMMUNICATION.

IF YOU HAVE ANY QUESTIONS OR COMMENTS, PLEASE CONTACT ME.

VERY TRULY YOURS,

ROBERT W. STROZIER

USSN: 10/076247

P0280702

From the desk of...

Sandy

RECEIVED
CENTRAL FAX CENTER

FEB 26 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Coren et.al.

SERIAL NO.: 10/076,247

FILED: 01/14/2002

§ ART UNIT NO.: 1654

§ EXAMINER: COE, SD

§ DOCKET NO.: P 0280702

§ 03013/01D1

TITLE: Antiviral Composition Derived from
Allium Cepa and Therapeutic Use Thereof

§

§

§

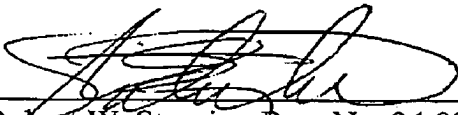
571-273-8300 FAX Number	CERTIFICATE OF TRANSMISSION VIA FACSIMILE	February 26, 2009 Date of Deposit
I hereby certify that this response is being transmitted via facsimile transmission to:		
EXAMINER SD COE USPTO		
AMENDMENT		
Robert W. Strozier	571-273-8300	February 26, 2009 Date of Signature

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

Dear Sir/Madam:

The Commissioner is authorized to charge deposit account 501518 for the \$810 Revival fee. Applicants thought they had given such permission, but Applicants' attorney notes that he inadvertently instructed the Office to charge the RCE fee in the revival form and not the revival fee. This was a simple mistake. Applicants' attorney notes, however, that he did include a direction in the response to charge the Deposit Account for any fee due.

Respectfully submitted,

Date: February 26, 2009
Robert W. Strozier, Reg. No. 34,024
Attorney for Applicants

02/26/2009 KHARZI1 00000054 501518 10076247

01 FC:2453 810.00 DA

RECEIVED
CENTRAL FAX CENTER

FEB 26 2009



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.govROBERT W. STROZIER, PLLC
PO BOX 429
BELLAIRE, TX 77402-0429

MAILED

FEB 23 2009

In re Application of
Adolfo Goren et al
Application No. 10/076,247
Filed: January 14, 2002
Attorney Docket No. P 0280702OFFICE OF PETITIONS
ON PETITION

This is a decision on the petition, filed January 27, 2009 under 37 CFR 1.137(b) to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "**Renewed Petition under 37 CFR 1.137(b)**." This is not final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to reply in a timely manner to the Office action mailed November 5, 2007, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). Accordingly, the above-identified application became abandoned on December 6, 2007.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); and (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(C) and (D). The instant petition lack(s) item(s) (2).

The petition does not satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (2) the \$810 petition fee was not received. The \$405 Request for Continued Examination (RCE) fee was received with petition on January 27, 2009. The petition did not give the Office authorization to charge the petition fee. Accordingly, this petition can not be revive until the \$810 petition fee is received.

Application No. 10/076,247

Page 2


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITIONS
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By facsimile: (571) 273-8300
 ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3210.


Irvin Dingle
Petitions Examiner
Office of Petitions